



9/13/05

MESSAGES FROM THE SENATE

SB 129 (Sanborn)
SBs 601-16 (GOP)

SEX OFFENDERS PACKAGE

SB 129, and SB 601-15 would require criminal history checks for all full-time and part-time employees hired or assigned by the schools; prohibit public and nonpublic schools from hiring or assigning people whose criminal record checks indicate they have been convicted of "listed offenses" under the Sex Offenders Registration Act; allow the court to set at least a five-year probationary period during which an offender would be prohibited from living or working within 1,000 feet of a school; and set maximum penalties within the sentencing guidelines used by the courts for violations of these proposed laws.

SB 129 would allow a sentencing court to: 1) Place a person on probation for a minimum of five years if he or she were convicted of certain child sexual assault crimes or kidnapping. 2) Prohibit a person placed on probation under the bill from living within one mile of a school or entering upon school property.

- The Senate concurred with the House changes to SB 129 [RC 395: 35 yes, 1 no].

SB 601 would require all school employees, including part-time and contractual, to be subject to criminal background checks. Further, the bill requires that any individual convicted of an offense that warrants registry on the sex offenders registry cannot be employed in any school. A person convicted of a felony, other than those requiring registration, cannot be employed unless the superintendent or school board specifically approve the employment in writing.

- The Senate concurred with the House changes to SB 601 [RC 396: 37 yes, 0 no].

SB 606 would make the sentencing guidelines conform to provisions in SB 607 which provides for criminal penalties for sex offenders failure to update sex offender registration.

- The Senate concurred with the House changes to SB 606 [RC 397: 37 yes, 0 no].

SB 607 provides for criminal penalties for sex offenders failure to update sex offender registration.

- The Senate concurred with the House changes to SB 607 [RC 398: 37 yes, 0 no].

SB 609 would disallow tenure rights to a teacher convicted of a crime requiring registry on the sex offenders list.

- The Senate concurred with the House changes to SB 609 [RC 399: 36 yes, 0 no].

SB 611 would amend the sentencing guidelines to make failure to report a charge or conviction by a school employee a felony (established by SB 612).

- The Senate concurred with the House changes to SB 611 [RC 400: 37 yes, 0 no].

SB 615 would require day care provider licensees to undergo a criminal background check when applying for or renewing a license; if a licensee/potential licensee does not undergo the check, Dept. of Human Services would not be allowed to grant/renew a license.

- The Senate concurred with the House changes to SB 615 [RC 401: 37 yes, 0 no].

SB 616 would include a felony violation of SB 617 in the state sentencing guidelines.

- The Senate concurred with the House changes to SB 616 [RC 402: 37 yes, 0 no].

FINAL PASSAGE

HB 4834 (MCCONICO)

PAYDAY LENDING

HB 4834: 1) Requires that all payday lenders be licensed by the Office of Financial and Insurance Services (OFIS). 2) Sets a procedure for licensing and allows OFIS to collect fees to fund the regulation. 3) Requires a payday lender to have a written agreement as evidence of the transaction. 4) Prohibits payday lenders from entering into more than one transaction with a customer or any customer who has more than one outstanding debt to any payday lender (as verified by an OFIS database). 5) Limits a single transaction to \$600. It allows the payday lender to charge a service fee on a sliding scale.

Support: Teamsters, Michigan Financial Services Centers Association, Check 'n' Go, Approved Cash Advance -- HB 4834 would put a currently unregulated industry under the regulation of OFIS for the first time. It would also provide necessary consumer protections, and insure that consumers did not use the service to solve long-term financial problems.

Oppose: Detroit Branch NAACP, Community Financial Services Association, Instant Cash – HB 4834 still provides fees that if considered interest have APR's that are quite a bit larger than allowed under current law. Some locally owned payday lenders argue that the fee structure is so small that local businesses will not be able to compete with national chains.

- Committee 1 (S-7) was defeated.
- Garcia 2 (S-8) was adopted.
- Garcia 2A (1 amend) was adopted.
- HB 4834 was moved to 3rd Reading.
- SCOTT 1 was defeated [RC 403: 16 yes, 21 no (gop)]. This would have lowered the fees and surcharges that payday lenders can charge.
- HB 4834 passed with IE [RC 404: 31 yes, 6 no].

THIRD READING

SB 719 (Allen)

SB 719 would provide the Public Service Commission with the authority to assess fees on wastewater treatment plants that would be eligible to be regulated under Senate Bill 419 (which would give the Public Service Commission jurisdiction over private wastewater treatment facilities). The amount of revenue that would be generated from the fees would depend on the number of treatment facilities that chose to participate in this program. These fees would cover the staffing and administrative costs associated with this regulation.

- SB 719 was moved to 3rd Reading. No amendments.

ADVISE AND CONSENT

Department of Management and Budget

- The Senate confirmed the appointment of Lisa Webb Sharpe as Director of the Department of Management and Budget [RC 394: 37 yes, 0 no].